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09400SB3046ham003

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1 AMENDMENT TO SENATE BILL 3046

2 AMENDMENT NO. _____. Amend Senate Bill 3046, AS AMENDED,
3 immediately after Section 10, by inserting the following:

4 "Section 13. The Public Utilities Act is amended by adding
5 Section 7-213 as follows:

6 (220 ILCS 5/7-213 new)

7 Sec. 7-213. Limitations on the transfer of water systems.

8 (a) In the event of a sale, purchase, or any other transfer
9 of ownership, including, without limitation, the acquisition
10 by eminent domain, of a water system, as defined under Section
11 11-124-10 of the Illinois Municipal Code, operated by a
12 privately-held public water utility, the water utility's
13 contract or agreements with the acquiring entity (or, in the
14 case of an eminent domain action, the court order) must require
15 that the acquiring entity hire a sufficient number of
16 non-supervisory employees to operate and maintain the water
17 system by initially making offers of employment to the
18 non-supervisory workforce of the water system at no less than
19 the wage rates, and substantially equivalent fringe benefits
20 and terms and conditions of employment that are in effect at
21 the time of transfer of ownership of the water system. The wage
22 rates and substantially equivalent fringe benefits and terms
23 and conditions of employment must continue for at least 30
24 months after the time of the transfer of ownership unless the

1 parties mutually agree to different terms and conditions of
2 employment within that 30-month period.

3 (b) The privately-held public water utility shall offer a
4 transition plan to those employees who are not offered jobs by
5 the acquiring entity because that entity has a need for fewer
6 workers. The transition plan shall mitigate employee job losses
7 to the extent practical through such means as offers of
8 voluntary severance, retraining, early retirement, out
9 placement, or related benefits. Before any reduction in the
10 workforce during a water system transaction, the
11 privately-held public water utility shall present to the
12 employees, or their representatives, a transition plan
13 outlining the means by which the utility intends to mitigate
14 the impact of the workforce reduction of its employees."